

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , JULY 26 , 19 77

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council
Chambers Tuesday evening July 26 A.D., 19 77 , in
 Regular Session. President John Nuckols in the chair,
and Charles W. Westerman Clerk, at the desk, present the following
members viz:

BURNS ✓ , HINGA ✓ , HUNTER ✓ ,
MOSES ✓ , NUCKOLS ✓ , DONALD SCHMIDT ✓ ,
VIVIAN SCHMIDT ✓ , STIER ✓ , TALARICO ✓ ,
ABSENT _____

COUNCILMAN _____ , _____ , _____ ,
 _____ , _____ , _____ ,

The invocation was given by _____

Received report from the City Controller for the month of _____ ,
19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____ , 19 _____ ,

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK Special _____ , 19 _____ ,

Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

July 22, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, July 22, 1977, I have approved the following ordinances passed by Common Council at its regular meeting on July 12, 1977.

(Bill No. S-77-06-04)
SPECIAL ORDINANCE NO. S-124-77

AN ORDINANCE approving a certain bid document for purchase of an ambulance for Emergency Medical Services.

(Bill No. S-77-06-28)
SPECIAL ORDINANCE NO. S-125-77

AN ORDINANCE approving Change Order Nos. E-4 & E-5 in connection with the Senior Citizen Center.

(Bill No. S-77-06-29)
SPECIAL ORDINANCE NO. S-126-77

AN ORDINANCE approving a contract with Lewis & Christen Office Supply Company for furnishings and their installation in the New Senior Citizen Center.

(Bill No. S-77-06-30) (as amended)
SPECIAL ORDINANCE NO. S-127-77

AN ORDINANCE approving a contract with Office Interiors, Inc. for furnishings and their installation in the New Senior Citizen Center.

(Bill No. S-77-06-31)
SPECIAL ORDINANCE NO. S-128-77

AN ORDINANCE approving an expenditure in excess of \$2,000 for the Department of Community Development and Planning.

(Bill No. S-77-06-32)
SPECIAL ORDINANCE NO. S-129-77

AN ORDINANCE approving a contract between Zollner Corporation and the City of Fort Wayne, by and through its Department of Public Safety for fire protection.



(Bill No. S-77-06-33)
SPECIAL ORDINANCE NO. S-130-77

AN ORDINANCE approving a contract with Schmidt Electric, Incorporated, for installation of Street Lighting.

(Bill No. S-77-06-34)
SPECIAL ORDINANCE NO. S-131-77

AN ORDINANCE approving a contract with T & F Construction Corporation of Indiana for installation of new street lighting for the City of Fort Wayne.

(Bill No. R-77-07-07)
RESOLUTION NO. R-34-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Community Development and Planning Department.

(Bill No. R-77-07-08)
RESOLUTION NO. R-35-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Street Department.

(Bill No. R-77-07-09)
RESOLUTION NO. R-36-77

(Bill No. R-77-07-10)
RESOLUTION NO. R-37-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Communications Department.

(Bill No. R-77-07-11)
RESOLUTION NO. R-38-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Street Department.

(Bill No. R-77-07-12)
RESOLUTION NO. R-39-77

A RESOLUTION authorizing payment to the following vendor's for repair of Board of Public Safety Vehicles.

(Bill No. Z-77-05-09)
ZONING MAP ORDINANCE NO. Z-14-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. AA-4 and A-4.

(Bill No. Z-77-05-12)
ZONING MAP ORDINANCE NO. Z-15-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-7.

(Bill No. G-77-02-07)
GENERAL ORDINANCE NO. G-25-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley.

(Bill No. G-77-04-07)
GENERAL ORDINANCE NO. G-26-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

(Bill No. S-77-06-43)
SPECIAL ORDINANCE NO. S-132-77

AN ORDINANCE approving a contract with Kenneth Niemeyer, Real Estate & Development, Inc. for construction of a sanitary sewer.

(Bill No. S-77-06-44)
SPECIAL ORDINANCE NO. S-133-77

AN ORDINANCE approving Change Order No. 1 in connection with Resolution No. 5728-1976.

(Bill No. S-77-06-45)
SPECIAL ORDINANCE NO. S-134-77

AN ORDINANCE approving a contract with Brooks Construction Company, for installation of pavement - Resolution No. 5757-1977.

(Bill No. S-77-06-46)
SPECIAL ORDINANCE NO. S-135-77

AN ORDINANCE approving a contract with Dailey Asphalt Products Co., Inc., for Resolution No. 5756-1977.

(Bill No. S-77-06-47)
SPECIAL ORDINANCE NO. S-136-77

AN ORDINANCE approving a contract with Wayne Asphalt and Construction Co., Inc. for Resolution No. 5754-1977.

(Bill No. S-77-06-48)
SPECIAL ORDINANCE NO. S-137-77

AN ORDINANCE approving a contract with Hipkind Asphalt Corporation for Resolution no. 5755-77.

(Bill No. S-77-06-49)
SPECIAL ORDINANCE NO. S-138-77

AN ORDINANCE approving Change Order No. 2 in connection with Resolution No. 5746-76.

(Bill No. S-77-06-50)
SPECIAL ORDINANCE NO. S-139-77

AN ORDINANCE approving a contract with Village Two, Inc. for Water Contract 7703 - Water Mains for Lofton Woods Add., Sec. III.

(Bill No. S-77-06-51)
SPECIAL ORDINANCE NO. S-140-77

AN ORDINANCE approving Change Order No. 2 in connection with Resolution No. 5724-1976.

(Bill No. S-77-06-52)
SPECIAL ORDINANCE NO. S-141-77

AN ORDINANCE approving blanket purchase order for materials for the Water Maintenance and Service Department.

(Bill No. S-77-06-53)
SPECIAL ORDINANCE NO. S-142-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department.

(Bill No. S-77-06-54)
SPECIAL ORDINANCE NO. S-143-77

AN ORDINANCE approving a contract with International Harvester Company for materials for the City Utilities Garage.

(Bill No. S-77-06-55)
SPECIAL ORDINANCE NO. S-144-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department.

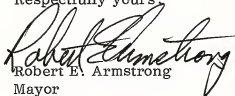
(Bill No. S-77-06-56)
SPECIAL ORDINANCE NO. S-145-77

AN ORDINANCE approving a contract with John Dehner, Inc. for materials for the Water Pollution Control Engineering Department.

(Bill No. S-77-06-57)
SPECIAL ORDINANCE NO. S-146-77

AN ORDINANCE approving a blanket purchase order for materials for the Water Maintenance & Service Department.

Respectfully yours,


Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

July 19, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-77-05-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
19th day of July, 1977.

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 7-26-77 CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

July 19, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 27, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-77-05-11
2. From "RA" to "M1"
3. Intended Use: Jet Construction Company - expansion
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The use is already in existence. Petitioners wish to expand the business, with construction of a new building. The Commission feels this would be an improvement to the area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten (pr)
Gary F. Baeten
Land Use Administrator

GFB:Pr

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 10, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-05-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

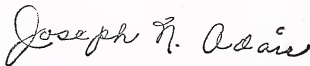
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 20, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City plan:

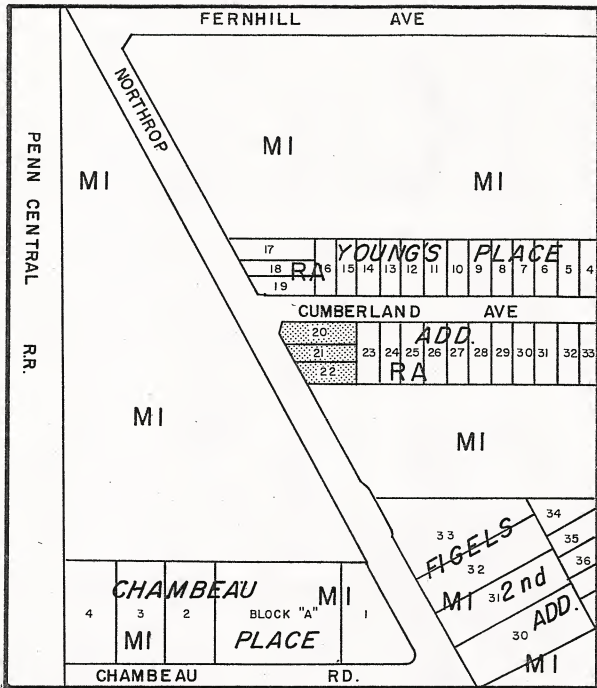
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 27, 1977.

Certified and signed this
19th day of July, 1977.



Joseph N. Adair
Secretary



 TO BE REZONED FROM RA TO MI

2-77-5-11



APPLICATIONS

Applications for a cable television franchise to construct and operate a cable television system within the City of Fort Wayne shall be prepared in accordance with the advice contained in the instructions herein. One original application and twenty-four (24) copies (including appendices) shall be received in the Office of the Board of Public Works, Room 910, City-County Building, One Main Street, Fort Wayne, Indiana 46802, no later than 2:00 p.m. on _____. It should be noted that applications submitted after this date and time cannot be accepted.

Each application shall be accompanied by a filing fee in the amount of TEN THOUSAND DOLLARS (\$10,000.00) which shall be made payable to the Controller of the City of Fort Wayne, Indiana.

Any person may file an application for a franchise upon payment of the prescribed fee.

The entire application fee received from a successful applicant, together with such portions of other applicant's fees as are not refunded shall be credited to the General Fund of the City for the purpose of investigation of the Cable Communications Systems Certificate applications and for establishing the procedures for the Cable Communications Systems regulations.

In the event the determination costs exceed the said TEN THOUSAND DOLLARS, the overage will be assessed on a pro-rata basis among unsuccessful applicants but in no case will the assessment be greater than ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) per applicant; (i.e., each unsuccessful applicant is guaranteed of receiving a minimum of EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00) refund). Refunds to unsuccessful applicants will be made within thirty (30) days of granting the franchise.

In addition to the previously mentioned contents and chapters to be included in this application, the applicant shall include the following:

- (a) Any request for disclosure of any information whatsoever from any City Councilman or public official with regard to the granting of this franchise;
- (b) Any objections to the applicant selection process to be followed by the City of Fort Wayne as set out in this document;
- (c) A statement to the effect that the applicant understands that if he does not herein present any objections as set out in (a) and (b) above, he hereby waives the right to make these objections at a later date following the filing of this application.

(It is the City Council's intention in this regard to prevent any future misunderstandings between any applicants and the City of Fort Wayne which could result in litigation and delay the commencement of construction of the cable television system.)

INSTRUCTIONS FOR FILING AN APPLICATION
FOR A CABLE TELEVISION SYSTEM FRANCHISE
IN FORT WAYNE, INDIANA

1. All applications must be made on the Application Form. All questions must be answered. Where the answer space provided is found to be inadequate, responses may be continued in Appendix A, with specific citations of page and question numbers.
2. Applicants may submit, as Appendix B, any additional germane material not required by the Application Form which the Applicants feels will be helpful to the City or its consultant in the selection process.
3. Applications not properly signed and executed will not be accepted for consideration.
4. Should any applicant be in doubt with respect to the meaning of any part of the application, or section thereof, or should any discrepancy or omission be discovered in the Application Form, the applicant should expeditiously inform the Board of Public Works. Should it be deemed necessary by either the Board of Public Works or the City's consultant, a bulletin of correction or explanation will be sent to all applicants. In any event, all questions pertaining to any facet of the application process will only be accepted in written form by the Board of Public Works, and, further, Fort Wayne assumes responsibility for its written response only.
5. Substantive amendments will not be considered except to acknowledge involuntary changes such as a change in ownership due to death. Correction of inadvertent errors submitted prior to the filing deadline will be considered. Correction of inadvertent errors submitted after the filing deadline may be considered, at the discretion of the City or its consultant, if the applicant submits with its correction sufficient information to prove that the error as inadvertent. Additional information or data may be requested by the City or its consultant if, in their judgment, this would aid in preparing a fair and accurate analysis.

APPLICATION FOR CABLE TELEVISION FRANCHISE
APPLICANT'S AFFIDAVIT

This application is submitted in response to Ordinance No. 6-77-04-19 of the City of Fort Wayne, Indiana by the undersigned who has been duly authorized to make the representations within on behalf of the applicant.

Applicant recognizes that all representations are binding on it and that failure to adhere to any such representation may, at the City's option, result in revocation of any franchise that may be granted, in consequence of this application.

Consent is hereby given to the City of Fort Wayne to make inquiry into the legal, character, technical, financial and other qualifications by contacting any persons or organizations named herein as references, or by any other appropriate means.

Firm name _____

Affiant's signature _____

Official position _____

Date: _____ Attest: _____

(Signature)

(Corporate secretary or authorized official)

APPLICATION FOR
CABLE TELEVISION SYSTEM FRANCHISE
FOR THE CITY OF
FORT WAYNE, INDIANA

PURSUANT TO ORDINANCE NO. G-77-04-19

Due at the office of the Board of Public Works

on

Date of this application _____

Name of applicant _____

Address of applicant _____

(Street address)

(City, state, zipcode)

Name and telephone number of principal to

whom inquiries should be made: _____

(Name)

(Area code - telephone number)

(Authorized signature - title)

PART I. OWNERSHIP AND ORGANIZATIONAL STRUCTURE

- A. Check the appropriate box to indicate the type of organizational structure proposed by Applicant:

<input type="checkbox"/>	Individual	<input type="checkbox"/>	General Partnership
<input type="checkbox"/>	Corporation	<input type="checkbox"/>	Limited Partnership
<input type="checkbox"/>	Joint Venture	<input type="checkbox"/>	Other (Explain) _____

- B. Supply, as Exhibit I-1, a true copy of the appropriate corporate charter, partnership agreement, or joint venture agreement.

- C. All applicants are required to respond to questions C-1 through C-4 as they apply. Figure I-1 is included in this form to assist Applicants in responding.

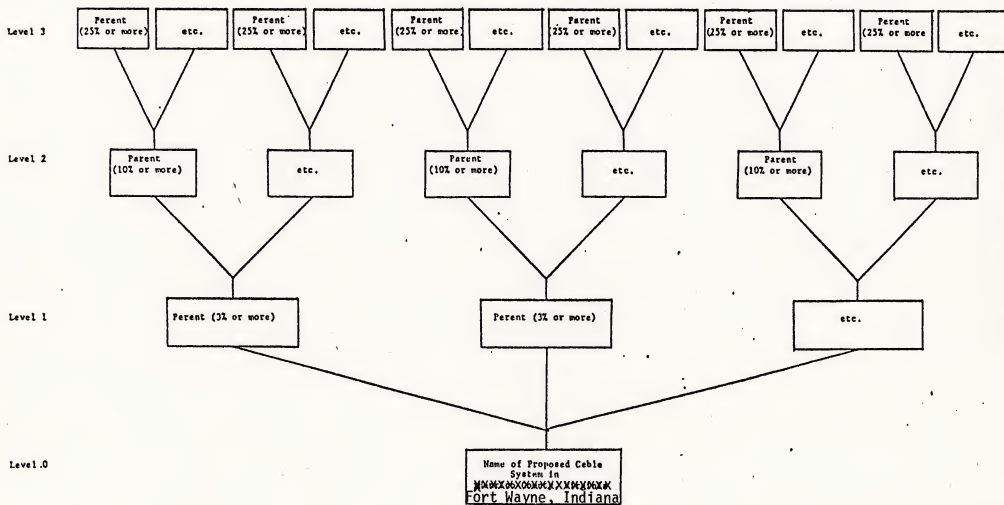
1. LEVEL 0 (Applicant)

Does Applicant have any existing or proposed subsidiaries or divisions that would conduct business using different names? ☐ Yes ☐ No

If "Yes", give the name, addresses and purpose of each.

Name	Address	Purpose

Figure I-1



2. LEVEL 1

List below any Level 1 corporation, partnership,

2. LEVEL 1
individual, or other business entity owning 3% or more of the voting stock or ownership rights of the Applicant.

Name of Business Entity	City and State	Type of * Organization	Percent Ownership

* e.g., partnership, individual, corporation, joint venture, etc.

3. List below any Level 2 corporation, partnership, individual or other business entity owning 10% or more of the voting stock or ownership rights of any of the entities named in Level 1.

Name of Business Entity	City and State	Type of* Organiza.	Percent Ownership	Which Level 1 Entity?

#3. (cont.)

Name of Business Entity	City and State	Type of* Organiza.	Percent Ownership	Which Level Entity?

* e.g., partnership, individual, corporation, joint venture, etc.

4. LEVEL 3

List below any Level 3 corporation, partnership, individual or other business entity that owns 25% or more of the voting stock or ownership rights of any of the entities named in Level 2.

Name of Business Entity	City and State	Type of* Organiza.	Percent Ownership	Which Level Entity?

* e.g., partnership, individual, corporation, joint venture, etc.

D. Officers, Directors, or Partners

1. List below Applicant's corporate officers and directors, general and limited partners, or the officers or other responsible officials if Applicant is neither corporation nor partnership.

Name	Mailing Address	Title	Percent Ownership

2. Submit, as Exhibit II-2, a copy of the latest available annual report to shareholders and the latest available prospectus (if any) for any parent corporations at Levels 1, 2, or 3.
3. List below the names and addresses of partners or responsible officials of parent organizations at Levels 1, 2, or 3 which are not corporations.

F. If the Applicant is a corporation:

1. Supply the following information for each class of stock issued or proposed:

Class of Stock	Voting or Non-Voting	No. Shares Authorized	No. Shares Issued	No. Shares Subscribed	No. Of Shares Held by Officers and Directors	Total No. Shareholders

2. How many shares of each class of stock in the Level 0 corporation does Applicant propose to offer for sale to the public, or have already been sold to the public?

Class	No. of Shares for Public Sale	No. of Shares Sold to Public to Date

G. Convertible Debt

1. Does Applicant propose that any of its debt funding set forth in Part.III herein will be convertible to equity with voting rights during the term of the franchise?

☐

Yes

☐

No

2. If "Yes," list below the pertinent details:

Name of Lender	Percent ownership available by debt conversion

PART II. FINANCIAL PLAN

A most important element of this application is an adequate showing of financial capability to perform in accordance with the franchise and this application. Therefore, failure to provide the detailed pro forma data requested in the following schedules may be interpreted by the ^{City}~~County~~ as evidence that the Applicant is not properly qualified to receive a grant of franchise.

To supplement the pro forma financial projections, Applicants are invited to submit, as Exhibit II-1, a description of the financial plan envisioned for the ~~XXXXXX COUNTY~~ Fort Wayne ~~XXXXXX COUNTY~~ system. The plan should be well-conceived and applied specifically to ~~XXXXXX COUNTY~~ Fort Wayne ~~XXXXXX COUNTY~~. If supplied, the description should include plans for debt and equity participation, local ownership participation (if any), future refinancing (if anticipated), financial goals for the system, and any special benefits attendant to the Applicant's particular method of operation.

A. Subscriber Fee Structure

- ## 1. Regular Subscriber Service

(a) First Outlet . \$ _____/mo.

(b) Each Additional Outlet \$ _____/mo.

- ## 2. Installation Charge

(a) First Outlet \$ _____

(b) Each Additional Outlet \$ _____

- ### 3. Moving and/or Reconnecting

\$ _____

4. Refundable Converter Deposit
(if any)

\$ _____

5. If revenues derived from per-program or per-channel operations, or from channel leasing operations, are shown in the financial projections, state below the anticipated schedule of charges used for such pro-forma projections.

Type of Program	Per Channel Per Month	Per Program	Other Billing Unit

6. Describe below the basis for estimating revenues shown in the pro forma projections from any other sources, such as multiple dwelling units or transient rooms ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ service to other commercial establishments, advertising, etc.

B. Pro Forma Projections (Schedules)

1. For the purpose of preparing the pro forma projections for this application, the following terms shall have the meaning set forth herein:

Homes Passed:	The number of dwelling units (including apartments, mobile homes, etc., but not including transient motel/hotel units) which can be provided service with less than 150 feet of drop cable up to the point of building entry.
Subscribers:	See Article I, Sec. 1, J. Apartment units are counted separately if under separate contract; each negotiated contract under Article IV, Sec. 1, D is counted as one subscriber. Only the first outlet for each subscriber is included.
Subscribers Added:	The total number of new subscribers connected during the period.
Subscribers Retained:	The number of subscribers added during the period <u>less</u> the number of subscribers disconnected for any reason during the same period.
Beginning Subscribers:	The cumulative total number of subscribers retained as of the start of the designated year.
Ending Subscribers:	The cumulative number of subscribers retained as of the end of the designated year; equals beginning subscribers plus subscribers retained during the designated year. (Also equals beginning subscribers for following year).
Average Paying Subscribers:	One-half of the sum of beginning and ending subscribers for the designated year.

Additional Outlets:

One less than the total number of outlets installed for each subscriber, as defined above.

Subscribers Using Pay-Cable and Pay-Cable Users:

Subscribers who have also contracted for and have been provided any special equipment required for reception of per-channel and/or per-program cablecasting.

Gross Revenues:

Where appropriate, this is the average number of subscribers (or Pay-TV users) multiplied by the monthly rate shown above multiplied by 12. In other cases, gross revenue is the total amount received during the year for the designated service before deducting any expenses, taxes, or other costs.

Year ():

Year 1 commences the day the complete regular subscriber service is first provided to one or more paying subscribers. Subsequent years commence on the same day of the year.

Pre-Opening:

The pre-opening period includes any time prior to the start of Year 1 (thus, it is meant to include even the pre-grant period).

Pro Forma Profit and Loss - Cash Flow Statement

Schedule A
10 Year
Total

Pre-Opening Year 1 Year 2 Year 3 Year 4 Year 5 Year 6-10

Profit and Loss Statement

Gross Revenues (Schedule B)	\$	\$	\$	\$	\$	\$	\$	\$
Operating Expenses (Schedule D)	_____	_____	_____	_____	_____	_____	_____	_____
Gross Profit (Loss)								
Interest Expense								
Depreciation	_____	_____	_____	_____	_____	_____	_____	_____
Taxable Income (Loss)								
Federal Income Tax								
State Income Tax	_____	_____	_____	_____	_____	_____	_____	_____
Net Income (Loss)								

Cash Flow Statement

Add-								
Depreciation								
Capital Invested -								
Equity								
Debt	_____	_____	_____	_____	_____	_____	_____	_____
Cash Available								
Deduct -								
Capital Asset Costs (Schedule G)								
Debt Retirement								
Dividends								
Other (Specify)	_____	_____	_____	_____	_____	_____	_____	_____
Annual Working Capital	_____	_____	_____	_____	_____	_____	_____	_____
Cumulative Working Capital	\$=====	\$=====	\$=====	\$=====	\$=====	\$=====	\$=====	\$=====

	<u>Gross Revenues</u>							<u>Schedule F</u>
	<u>Pre-Opening</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6-10</u>	<u>10-Year Total</u>
Basic Subscriber Service	\$	\$	\$	\$	\$	\$	\$	\$
First Outlet								
Additional Outlets								
Installation Charges								
Pay-Cable Revenues								
Bulk Contracts (Apts., Hotels, Motels, etc.)								
Other (Specify)								
 Total Gross Revenues	 \$ =====	 \$ =====	 \$ =====	 \$ =====	 \$ =====	 \$ =====	 \$ =====	 \$ =====

Homes Passed and Projected Subscriber GrowthSchedule C

	<u>Pre-Opening</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6-10</u>
Homes Passed (Year End)-							
Annually	_____	_____	_____	_____	_____	_____	_____
Cumulative	=====	=====	=====	=====	=====	=====	=====
Projected Subscriber Growth -							
Total Subscribers Added	_____	_____	_____	_____	_____	_____	_____
Subscribers Retained							
Beginning Subscribers	_____	_____	_____	_____	_____	_____	_____
Ending Subscribers	=====	=====	=====	=====	=====	=====	=====
Average Paying Subscribers/Year	=====	=====	=====	=====	=====	=====	=====

Operating ExpensesSchedule D

	<u>Pre-Opening</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6-10</u>	<u>10-Year Total</u>
General and Administrative -								
Advertising & Promotion	\$	\$	\$	\$	\$	\$	\$	\$
Salaries and Wages								
Taxes								
Franchise Fee								
Billing and Collection								
Miscellaneous Expenses								
Payments to Parent								
Office and Studio Rent								
Other (Specify)								
Technical -								
Salaries and Wages								
Microwave Service								
Pole and Duct Rental								
System Power								
System Maintenance								
Payments to Parent								
Rentals - Antenna Site								
- Shop and Warehouse								
Other (Specify)								
Program Production -								
Salaries and Wages								
Selling Expense and Promotion								
Program Materials and Supplies								
Wire Services								
Mobile Van Expenses(if applicable)								
Maintenance and Technical Supplies								
Payment to Parent								
Other (Specify)								
Total Operating Expenses	\$	\$	\$	\$	\$	\$	\$	\$

Payroll ExpenseSchedule E

In the parentheses (), indicate the equivalent number of full time employees for each category for years 1-5, e.g. an entry might appear as \$46,500(5) indicating five employees receiving a total of \$46,500 in that particular year.

	<u>Pre-Opening</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6-10</u>	<u>Total</u>
<u>Total Annual Salaries & Wages</u>								
1. General and Administrative(Specify) \$	\$	\$	\$	\$	\$	\$	\$	\$
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
2. Technical (Specify)		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
3. Program Production (Specify)		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
		()	()	()	()	()	()	
Total Salary & Wage Expense	\$	\$	\$	\$	\$	\$	\$	\$
Total Employees		()	()	()	()	()	()	

Services Purchased from Parent Organization
(If Applicable)

Schedule F

	<u>Pre-Opening</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6-10</u>	<u>10-Year Total</u>
Administrative Overhead	\$	\$	\$	\$	\$	\$	\$	\$
Management Contract								
Accounting and Billing								
Computer Services								
Engineering-Technical								
Legal								
Programming								
Other (Specify)								
 Total	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>

Capital Asset CostsSchedule C10-Year
TotalCategoryPre-
OpeningYear 1Year 2Year 3Year 4Year 5Year 6-1010-Year
Total

Primary Head End

(Antenna, Tower & Electronics)

\$

\$

\$

\$

\$

\$

\$

\$

Secondary Head Ends

(Antennas, Towers & Electronics)^{1/}

Head End Buildings and Land

Head End or Hub Interconnect

Distribution System -

Aerial Plant (including materials,
labor, directional taps and make-ready
costs)Underground Plant (including materials,
labor and directional taps)

Closed Circuit Equipment

Local Origination and Access

Pay TV

Drop Costs

Materials

Labor (if capitalized)

Converters

CATV

Pay Cable

Office & Studio (including land)

Vehicles

Leasehold Improvements

Furniture, Fixtures & Office Equipment

Test Equipment

System Spare Parts

Small Tools

Pre-Opening Costs (if capitalized)

Total Capital Asset Costs

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

^{1/} Designate number of Secondary Head Ends in () in the year activated.

PART III. SOURCE OF FUNDS

A. Equity

1. Contributors of 3% or more of the equity funds required must be identified as follows:

Name of Contributor	Percent of Total Equity Shown on Schedule A *	Dollar Value of Contribution

* Applies only to those participants providing 3% or more of the total equity funds as indicated in Schedule A.

2. Each contributor noted in (1) above is required, as Exhibit III-1, to submit a letter pledging payment of the proper share of the equity as shown in Schedule A, contingent only upon grant of the franchise within a reasonable time limit.
3. Each owner pledging such payment for equity should submit credible evidence of financial capability to meet the pledge, authenticated and dated. (Use Exh.III-1)

B. Debt

1. Identify the source, amount and terms of debt financing as proposed in Schedule A.

Source of Loans

	<u>Amount</u>	<u>Terms</u>
a. <u>Parent Company:</u>		
_____ Name _____	_____	_____
_____ Name _____	_____	_____
b. <u>Financial Institution:</u>		
_____ Name _____	_____	_____
_____ City and State _____		
_____ Name _____	_____	_____
_____ City and State _____		
c. <u>Equipment Supplier:</u>		
_____ Name _____	_____	_____

	<u>Amount</u>	<u>Terms</u>
_____	_____	_____
Name		
d. <u>Individuals:</u>		
_____	_____	_____
Name		
_____	_____	_____
Name		
_____	_____	_____
Name		
_____	_____	_____
Name		

2. Submit letters of commitment from each proposed lender listed above setting forth his commitment to make the indicated loan contingent only on the grant of franchise.
(Exhibit III-2)

C. Other Cable Television Interests

1. Existing Systems

List below information concerning existing cable television systems in which the Applicant or Parents listed in Part I at Levels 1, 2, or 3 have 25% or more ownership interest.

Name of Business Entity at Level 0, 1, 2 or 3	Number of Existing Systems (25% or more ownership)	Homes Passed	Route Miles Completed	Route Miles of Extension and Rebuild to be Completed by 1980

C.1. Cont.:

Name of Business Entity at Level 0, 1, 2 or 3	Number of Existing Systems (25% or More Ownership)	Homes Passed	Route Miles Completed	Route Miles of Extension and Rebuild to be Completed by 1980

2. Unbuilt and partly completed franchises. List all franchises for which Applicant or any other Business Entity listed in Part I at Levels 1, 2, or 3 is, or will be, committed to provide funds before 1980. Also indicate the percentage of total funds required to be committed.

Name of Business Entity	Location of Franchise	Homes in Franchise Area	Route Miles to be built before 1980	% of Funds Required

PART IV - PROPOSED CHANNEL UTILIZATION

A. Definitions

To promote clarity and avoid misunderstanding, the following terms will have the meanings set forth below for purposes of this application.

Downstream:

Transmissions of any kind from the antenna site or a distribution hub to individual subscribers (or other users).

Upstream:

Transmission from one or more subscriber (or other user) terminals to an antenna site or distribution hub.

Cable A:

Trunk and feeder distribution system intended for downstream transmission of part or all of the "regular subscriber service" to all subscribers; may also be used for upstream transmissions of any kind.

Cable B and Cable C:

Additional trunk and/or feeder distribution systems used for transmission of (a) the balance of the "regular subscriber service" downstream to all subscribers, or (b) other services of any kind, to or from selected subscribers or other users, or (c) both.

Subscriber Drop Cables:

Cables that connect the subscriber (or other user) terminals to a service tap (or multi-tap) on feeder cable.

Feeder Cables:

That portion of the distribution system to which subscriber drops may be connected (or tapped).

Trunk Cables (Including sub-trunk or branch trunk):

That portion of the distribution system to which feeder cables are connected, either through passive couplers or bridger amplifier

Interconnection System (Including super-trunk cable):

That portion of the distribution system to which trunk cables are connected.

Distribution Hub:

Points within the distribution system where trunk cables are connected to the interconnection system. Antennas and origination facilities may in some cases also be connected to trunk cables at distribution hubs.

B. Downstream-TV Broadcasting Station Signals

1. How many channels does Applicant propose to utilize initially for carriage of TV broadcasting station signals?

Number of channels for carriage
of TV broadcasting stations

Cable A

Cable B

Cable C

2. List in Table IV-1, page 29 all TV broadcasting station signals whose entire program schedule Applicant proposes to carry initially (except for blacked-out periods required for exclusivity protection).
3. List below any TV broadcasting station signals Applicant proposes to carry part-time, initially. Explain briefly the circumstances of such carriage, describing any channel sharing arrangements proposed.

Call Letters	Off-Air Channel	Location	Network

Explanation: _____

Table IV-1

Proposed Downstream Carriage
TV Broadcasting Station Signals
(List only those stations whose entire
program will be carried except when
blackened-out for exclusivity protection)

Ident. No. (note 1)	Call Letters	Off-Air Channel	Location	Network Affiliation ABC/CBS/NBC IND/ETV/PBS	Category: Distant o Local (not
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					

Note 1: Applicant is not required to make cable channel assignments at this time. This number is for identification purposes only.

Note 2: A "local" station is one within whose specified 35-mile zone the proposed system will be located, in whole or in part. All others are "distant".

4. List below any additional TV broadcasting station signals Applicant definitely plans to carry in the next 4 years. Explain briefly the circumstances and anticipated timing.

<u>Call Letters</u>	<u>Off-Air Channel</u>	<u>Location</u>	<u>Network</u>
-------------------------	----------------------------	-----------------	----------------

Explanation: _____

2. Will all, some, or none of the above FM radio signals be carried on-channel at the assigned license frequency?

All FM signals on-channel ☐

Some FM signals on-channel ☐

No FM signals on-channel ☐

3. List below those FM radio signals that will not be carried on-channel (unless all FM radio signals are to be converted):

Call Letters	Reason for off-channel carriage

4. What minimum separation does Applicant propose for carrier frequency assignments in the band 88-108 MHz on cable?

_____ MHz

D. Downstream - Access Cablecasting

1. Will more than one downstream television channel be made available initially for each of the following types of access cablecasting?

	No	Yes	If yes, How Many?
Public Access	<input type="text"/>	<input type="text"/>	<input type="text"/>
Education Access	<input type="text"/>	<input type="text"/>	<input type="text"/>
Local Government Access	<input type="text"/>	<input type="text"/>	<input type="text"/>

Fort Wayne
(Note: The ~~Indiana~~ ~~Fort Wayne~~ franchise neither requires nor prohibits access cablecasting facilities in excess of those necessary for compliance with FCC Rules.)

2. If the Applicant plans to lease channel(s), how many will be offered?

Number of channels _____

E. Downstream - Origination Cablecasting

1. How many channels will be utilized initially for origination cablecasting (subject to the exclusive control of the cable operator) for automated or non-automated programming? (Details will be provided in Part VI hereof.

Number of channels

Cable A _____
Cable B _____
Cable C _____

F. Downstream - Non-Television Facilities

List below indicated details concerning non-television downstream transmissions which Applicant proposes to carry initially, if any:

Nature of Service Offered	Signal Type (data, audio, etc.)	Bandwidth Required	Which Cable? (A, B or C?)

G. Downstream - General

1. Will all of the channels listed herein, on ~~Cables A, B, and C~~ be available to all subscribers as part of the "regular subscriber service" without extra charge?

	Yes	No
Cable A	<input type="checkbox"/>	<input type="checkbox"/>
Cable B	<input type="checkbox"/>	<input type="checkbox"/>
Cable C	<input type="checkbox"/>	<input type="checkbox"/>

2. If "no", explain below.

H. Upstream - Television Channels (Refer to Part V-A3)

How many upstream television channels (if any) does Applicant propose to make available initially for access or origination cablecasting, originating at subscriber or other user premises, and the general purpose served by such channels?

	Description of Purpose of Upstream TV Facilities	Number of Channels
Cable A -		
Cable B		
Cable C		

I. Upstream - Non-Television Facilities (Refer to Part V-A4)

List below the facilities (if any) Applicant proposes to activate initially for upstream transmission of non-television signals originating at subscriber or other user premises, and the use Applicant expects to make of such facilities.

Description and Expected Use of Upstream Non-TV Facilities	Bandwidth Required (MHz)		
	Cable A	Cable B	Cable C-

PART V - PROPOSED FACILITIES

A. Trunk and Feeder Configuration

1. What are the frequency limits of the transmission band (or bands) in the trunk and feeder systems which will be activated initially, and within which Class I and/or Class II cable television channels could be carried in full compliance with all relevant technical performance standards of FCC Rules?

Cable A:

Trunk _____

Feeder _____

Cable B:

Trunk _____

Feeder _____

Cable C:

Trunk _____

Feeder _____

2. What are the frequency limits of the transmission band (or bands) in the trunk and feeder system initially activated which the Applicant proposes to utilize (or reserve) for distributing downstream to subscribers or other users the non-television signals listed in Part IV-F above?

Cable A:

Trunk _____

Feeder _____

Cable B:

Trunk _____

Feeder _____

Cable C:

Trunk _____

Feeder _____

3. (a) What are the frequency limits of the transmission band (or bands) in the trunk and feeder system initially activated which the Applicant proposes to utilize (or reserve) for upstream carriage of the NTSC television signals, if any, listed in Part IV-H above?

Cable A:

Trunk _____

Feeder _____

Cable B:

Trunk _____

Feeder _____

Cable C:

Trunk _____

Feeder _____

3. (b) If upstream NTSC television channels are proposed in Part IV-H above, can they be carried in full compliance with the technical performance requirements currently applicable to Class I Channels? (Note FCC does not now have standards applicable to upstream channels.)

☐

Yes

☐

No

3. (c) If "Yes," submit as Exhibit V-1 a comprehensive engineering brief in support of the claim, including such factors as envelope delay distortion, aggregate noise, and level stability, among others. Include a statement of the qualifications of the engineer preparing the brief, and any direct experience the Applicant may have with such operation.

4. What are the frequency limits of the transmission band (or bands) in the trunk and feeder system initially activated which the Applicant proposes to utilize (or reserve) for re-turning (upstream) to a hub or other central facility, the non-TV signals listed in Part IV-I above?

Cable A:

Trunk _____

Feeder _____

Cable B:

Trunk _____

Feeder _____

Cable C:

Trunk _____

Feeder _____

5. (a) If Cable B or C is proposed, will it be fully energized at the time of initial construction?

Cable B: _____ Yes _____ No

Cable C: _____ Yes _____ No

5. (b) If "No" in either case, state what portions of each cable will be activated initially, and when or under what circumstance additional cable will be activated:

6.(a) For purposes of this proceeding, the "standard" frequency channelling plan for carriage of NTSC television channels on trunk and feeder cables is considered to be as follows:

<u>Channel Identifier</u>	<u>Frequency Boundaries MHz</u>	<u>Channel Identifier</u>	<u>Frequency Boundaries MHz</u>	<u>Channel Identifier</u>	<u>Frequency Boundaries MHz</u>
2	54-60	H	162-168	M	234-240
3	60-66	I	168-174	N	240-246
4	66-72	7	174-180	O	246-252
5	76-82	8	180-186	P	252-258
6	82-88	9	186-192	Q	258-264
A	120-126	10	192-198	R	264-270
B	126-132	11	198-204	S	270-276
C	132-138	12	204-210	T	276-282
D	138-144	13	210-216	U	282-288
E	144-150	J	216-222	V	288-294
F	150-156	K	222-228	W	294-300
G	156-162	L	228-234		

The standard assignment of the various carriers and sub-carriers within each channel is set forth in FCC RR 73.682(a) and 76.605(a).

6. (b) Will all downstream and return television channels be carried on the proposed trunk and feeder system in accordance with the above channelling plan, and with the normal carrier assignments within the channel as set forth in FCC Rules?

☐

Yes

☐

No

6. (c) If "No" in any respect, explain in Exhibit V-2, describing in detail how the non-standard channels will be received by subscribers and other users. (This question refers to harmonically related, or constant interval assignments, inverted order of sub-carriers, suppressed carriers, or any other non-standard assignment plan.)

7. (a) How many route miles of cable plant does Applicant propose to be constructed within four years following grant by FCC of Certificate of Compliance? (Include "shadow" plant not energized initially.)

	Route Miles		
	Aerial	Underground	Total
Cable A			
Cable B			
Cable C			

7. (b) Does Applicant propose to construct any portion of Cable B or Cable C along routes other than the routing of Cable A?

☐

Yes

☐

No

7. (c) If "Yes," explain:

7. (d) What is the source of the above mileage estimates?

Strand map survey

Percentage of street mileage
from City records

____ %

Probable routing wheeled on
City map by Applicant

Estimate by Applicant

Other (explain)

B. Antenna Site Equipment for Off-Air Reception

1. How many separate sites are proposed for reception of television broadcasting station signals? (Include signals relayed by microwave.)

Number of Proposed Antenna Sites _____

2. Indicate on Table V-1 the location and type equipment proposed for each antenna site, including those which are, or would be, owned or directly controlled by Applicant and used with a microwave relay system. Use a separate table for each antenna site, if more than one is proposed. Indicate on the table, by channel number, each broadcasting station received at each antenna site.

Table V-1

Site Identification No. _____

Site Location _____

Antenna Site Facilities
(owned or controlled by Applicant)

Prepare a separate sheet for each antenna site, if more than one is proposed. Place the channel number of each off-air station received in the block at the head of each column. Place a check (or X) in appropriate boxes to indicate the type of equipment proposed for each channel. Where a piece of equipment is shared by several channels, check each channel box sharing the equipment.

Off-Air Channel Numbers of Stations Received

Antennas (VHF/UHF)

Yagi

Log Periodic

Parabolic

Plane Reflector

Other

Preamplifiers (VHF/UHF)

Tower Mounted

Indoor

Converters (UHF to VHF)*

Tower Mounted

Indoor

Single Channel

Heterodyne Proc.

Strip Amp-W/AGC

Strip Amp-WO/AGC

Demodulator

Microwave Trans.-FM

Microwave Rec.-FM

Microwave Trans.-LDS

Microwave Rec.-LDS

Modulator

* Do not include UHF to IF converters which are integral with processors.

3. (a) List below any TV broadcasting station signals which will be received on antennas and associated equipment owned or controlled by others, such as a microwave common carrier, or shared expense CARS.

TV Station		Location of Receiving Site (See Note 1)	Antenna System Owned by	Arrangement for use of Facilities (See Note 2)
Call Letters	Channel Number			

Note 1: State airline distance and direction to site from the center of the franchise area. If the receiving site is not now in existence, and has not yet been selected, so indicate in the space provided.

Note 2: Indicate whether by common carrier contract, signal purchase agreement, shared expense CARS, etc.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers: 31/77/E & 32/77/D

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolutions a matter of record and in-
corporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,



Albert N. Hepler, Chairman
Board of Public Safety

MADE A MATTER OF RECORD

DATE 1-26-77 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 32/77 /D

(Adopted July 19 , 19 77)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter as so amended delegates to this Board authority to PREFERENTIAL
INTERSECTION (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated 18 July , 19 77 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 14 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective July 19 , 19 77 , and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Middle St. -- preferential -- at Elyetta St.

REGULATORY RESOLUTION NO. 31/77 /E

(Adopted _____ July _____ 19 _____, 19 77)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to _____ STOP INTERSECTION (EMERGENCY) _____

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated _____ July _____ 18 _____, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective _____ July _____ 19 _____,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION _____ (EMERGENCY)

Lansing Ave. -- stop -- for Leesburg Road

RETURN CERTIFICATE

31/77/E
(Regulatory Resolution No. 32/77/D /__)

I hereby certify that I did this 19th day of July, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within ^{31/77/E} Regulatory Resolution No. 32/77/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

John C. Lawton

EXECUTIVE SECRETARY

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 26th day of July, 1977, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 ____.

Charles W. Westerman
City Clerk